

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH**

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Court Name: 10th Circuit - Family Division - Derry
Case Name: In the Matter of Michael Speight and Amanda Kaelblein
Case Number: 622-2022-DM-00139

PARENTING PLAN

This parenting plan is: **(Choose one)**

☐ Agreed upon ☒ Proposed by Amanda Kaelblein ☐ Developed by Court
(parent's name)

This parenting plan is: **(Choose one)**

- ☒ Temporary: The completed paragraphs apply until the case is concluded. If you are requesting a temporary order on parenting issues, you should include as many of these parenting plan topics as you will need to carry your family through until all parenting issues are resolved.
- ☐ Final: All completed paragraphs shall be incorporated in the Court's final order.
- ☐ Changing a prior final Parenting Plan or a prior permanent order on parental rights and responsibilities.

The parental rights and responsibilities statute, RSA 461-A, requires any party in a divorce, legal separation, or parenting (formerly known as "custody") case to file a parenting plan, whether s/he is seeking an order establishing parental rights and responsibilities or an order modifying such rights and responsibilities. The statute also requires that the parenting plan include a detailed parenting schedule for each child, specifying the periods when each parent has residential responsibility or non-residential parenting time.

As you complete the Parenting Plan, please bear in mind this state's policy (below) as set forth in RSA 461-A:2. This policy will guide the court in making decisions affecting your parental rights and responsibilities.

Because children do best when both parents have a stable and meaningful involvement in their lives, it is the policy of this state, unless it is clearly shown that in a particular case it is detrimental to a child, to:

- (a) Support frequent and continuing contact between each child and both parents.**
- (b) Encourage parents to share in the rights and responsibilities of raising their children after the parents have separated or divorced.**
- (c) Encourage parents to develop their own parenting plan with the assistance of legal and mediation professionals, unless there is evidence of domestic violence, or child abuse/neglect.**
- (d) Grant parents and courts the widest discretion in developing a parenting plan.**
- (e) Consider both the best interests of the child in light of the factors listed in RSA 461-A:6 and the safety of the parties in developing a parenting plan.**

However, pursuant to RSA 461-A:6, I-a, if the court concludes that frequent and continuing contact between each child and both parents is not in the best interest of the child, the court shall make findings supporting its order.

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This parenting plan is for the following child(ren) born to, or adopted by, the parties:

Full Name	Date of Birth	Full Name	Date of Birth
1. <u>Vivian Speight</u>	<u>06/03/2017</u>	2. _____	_____
3. _____	_____	4. _____	_____
5. _____	_____	6. _____	_____

A. Decision-Making Responsibility:1. Major Decisions: These include, but are not limited to, decisions about the child(ren)'s education, non-emergency health and dental care, and religious training: **(Choose one)**☒ (a) Joint Decision-Making: Both parents shall share in the responsibility for making major decisions about the child(ren).

Note: If parents have joint decision-making responsibility, RSA 461-A:4 requires parenting plans to include the legal residence of each parent unless the court finds that there is a history of domestic abuse or stalking or that including such information would not be in the best interest of the child(ren). If the parenting plan includes a parent's residence, the parent shall be responsible for promptly notifying the court and the other parent of any change in residence. The failure to provide such information may result in a finding of contempt of court.

Legal Residence of Michael Speight (parent's name)

Legal Residence of Amanda Kaelblein (parent's name)

48 Richardson Road
 Melrose, MA 02176

☐ The court finds that there is a history of domestic abuse or stalking or that including such information would not be in the best interest of the child(ren).☐ (b) Sole Decision-Making: _____ (parent's name) shall have sole decision-making authority on major decisions about the child(ren).2. Day-To-Day Decisions: Each parent shall make day-to-day decisions for the child(ren) during the time he/she is caring for the child(ren). This includes any emergency decisions affecting the health or safety of the child(ren). A parent who makes an emergency decision shall share the decision with the other parent as soon as reasonably possible.3. Other Provisions: _____**B. Residential Responsibility & Parenting Schedule:**1. Routine schedule: **(Choose one)**☒ (a) Set forth the detailed parenting schedule for the child(ren) specifying periods when each parent has residential responsibility or non-residential parenting time (such as dinners or other parenting time that is not overnight).

NOTE: Neither parent shall be described as having the child "reside primarily" with him or her or as having "primary residential responsibility" or "custody" or be designated as the "primary residential parent":

Father shall have supervised parenting time as follows:

Every other Friday for three (3) hours. This time shall be supervised by Nancy Kaelblein. Times to be determined based upon Father's schedule, Nancy's schedule, and Vivian's school schedule.

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Every weekend for four (4) hours on either Saturday OR Sunday. This time shall be supervised by either Nancy Kaelblein or Janice Fitzpatrick. The supervisors shall alternate weekends. Times to be determined based upon Father's schedule, the supervisor's schedule, and Vivian's schedule.

All other time with Mother.

☐ (b) The child(ren) shall reside solely with _____ (parent's name).
Based on the following, the court concludes that frequent and continuing contact between each child and both parents is not in the best interest of the child and makes the following findings in support of this order:

2. Holiday and Birthday Planning: (Choose (a), (b), or (c))

☐ (a) No holiday and birthday schedule shall apply. The routine schedule set forth above shall apply.

☐ (b) Holiday and birthday parenting time shall be as the parties agree.

☒ (c) The holidays and birthday(s) listed below should be shared as described. Specify start and end times and days/dates as necessary. (For example, Thanksgiving: One parent—even years, other parent—odd years, starting on the Wednesday prior to Thanksgiving at 6pm, ending the Friday after Thanksgiving at 6pm). Parenting time on holidays and birthdays which are not checked and described shall be according to the routine schedule set forth above.

☐ Mother's Day _____

☒ Father's Day With Father, supervised, for four (4) hours

☐ July 4th _____

☒ Thanksgiving With Father, supervised, Friday after Thanksgiving for four (4) hours

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- ☐ Christmas Eve _____
- ☒ Christmas Day With Father, supervised, on 12/26 for four (4) hours
- ☐ Child(ren)'s Birthday(s) _____
- ☐ One Parent's Birthday _____
- ☐ Other Parent's Birthday _____
- ☐ Other religious, civil and family celebrated special occasions: _____

3. Three-day weekends: (Choose (a), (b), or (c))

☒ (a) No three-day weekend schedule shall apply. The routine schedule set forth above shall apply.

☐ (b) The parent exercising parenting time on the weekend before a Monday holiday shall have parenting time on that Monday holiday.

☐ (c) The three-day weekends listed below should be shared as listed and described. Parenting time on three-day weekends which are not checked and described shall be according to the routine schedule set forth above.

- ☐ M. L. King Jr. Civil Rights Day _____
- ☐ Presidents' Day _____
- ☐ Memorial Day _____
- ☐ Labor Day _____
- ☐ Columbus Day _____
- ☐ Other _____

4. Vacation Schedule:(a) December Vacation: **(Choose one)**

☒ (i.) No December vacation schedule shall apply. The routine schedule set forth above shall apply.

☐ (ii.) The parent exercising parenting time with the child(ren) on Christmas Eve (as outlined above) shall have the following additional parenting time with the child(ren) over the December vacation:

The parent exercising parenting time with the child(ren) on Christmas Day (as outlined above) shall have the following additional parenting time with the child(ren) over December vacation:

☐ (iii.) The above choices do not fit this parenting situation. Instead, the residential schedule for the child(ren)'s December vacation shall be as follows:

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(b) February, April, and Summer Vacations. Specify the day of the week vacation starts and ends, if necessary. **(Choose one)**

☐ (i.) No February, April, or summer vacation schedule shall apply. The routine schedule set forth above shall apply.

☒ (ii.) The child(ren) shall reside with Amanda (parent's name) during February vacation, except for the following days and times when the child(ren) shall be with the other parent:

Mother shall have Vivian from Friday after school until Monday return to school if she is traveling out of state

The child(ren) shall reside with Amanda (parent's name) during April vacation, except for the following days and times when the child(ren) shall be with the other parent:

Mother shall have Vivian from Friday after school until Monday return to school if she is traveling out of state

The child(ren)'s summer residential schedule shall be as follows:

☐ (iii.) The above choices do not fit this parenting situation. Instead, the residential schedule for the child(ren)'s February, April, and summer vacations shall be as follows:

(c) Other Vacations - describe the schedules for any other vacations:

5. Supervised Parenting Time: (Choose one)

☐ (a) Not applicable.

☒ (b) The residential schedule is subject to the restrictions or limitations set out as follows:

☐ (i.) All parenting time of _____ (parent's name(s)) shall be at a supervised visitation center that uses a metal detection device and has trained security personnel onsite.

☒ (ii.) Other:

Father's parenting time shall be supervised by either Nancy Kaelblein or Janice Fitzpatrick

6. Other Parental Responsibilities:

Each parent shall promote a healthy, beneficial relationship between the child(ren) and the other parent and shall not demean or speak out negatively in any manner that would damage the relationship between either parent and the child(ren).

Neither parent shall permit the child(ren) to be subjected to persons abusing alcohol or using illegal drugs. This includes the abuse of alcohol or the use of illegal drugs by the parent.

The parties agree to, or the court establishes, the following additional expectations:

(Choose all that apply)

☒ (a) A parent requesting a temporary change to the parenting schedule shall act in good faith and ask the other parent about such change as soon as possible. The parents are expected to fairly adjust parenting schedules when family situations, illnesses, or other commitments make modification reasonable.

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- ☐ (b) If a parent requires child care by some person who does not reside in his or her residence, for a period reasonably expected to last longer than _____ hours, then the other parent shall be offered the opportunity to parent the child. This section does not apply to regularly scheduled day care.
- ☐ (c) Each parent shall supply the appropriate child(ren)'s clothing for them for their scheduled time with the other parent. These clothes are to be considered the child(ren)'s clothes and shall be returned with the child(ren).
- ☐ (d) Each parent shall be responsible for ensuring that the child(ren) attend regularly scheduled activities, including but not limited to sports and extra-curricular activities, while the child(ren) are with that parent.
- ☐ (e) As the child(ren) get older, their individual interests may impact the parenting schedule set forth in this parenting plan. Each parent shall be flexible in making reasonable adjustments to the parenting schedule as the needs and interests of their maturing children require.
- ☐ (f) Other Parenting Responsibilities: _____

C. Legal Residence of a Child for School Attendance: (Choose one)

- ☐ 1. The parties agree that, as allowed by RSA 193:12, II(a)(2) their child's legal residence for school attendance purposes shall be _____ (parent's name) residence. See the attached Agreement and Parenting Plan Order Designating School District (NHJB 2763-F). Each parent shall furnish a copy of the Agreement to the school district in which the parent resides.
- ☒ 2. The court orders that the child(ren) shall attend school in the Melrose school district where parent Amanda Kaelblein (parent's name) resides.
- ☐ 3. The child(ren) shall attend school in the school district where the parent with sole residential responsibility resides. Under this plan, that parent is _____
- ☐ 4. Other provisions regarding school: _____

D. Transportation and Exchange of the Child(ren): (Choose all that apply)

- ☒ 1. Transportation arrangements for the child(ren) between parents shall be as follows:
Mother is responsible for picking up and dropping off Vivian for Father's supervised parenting time.
- ☒ 2. Unless both parents agree upon a different meeting place, the exchange of the child(ren) shall be at:
Locations determined by the parties and supervisor for Father's parenting time
- ☐ 3. Transportation costs shall be shared as follows: _____
- ☐ 4. Other: _____

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Unless there is a court order stating otherwise:

Both parents have equal rights to inspect and receive the child(ren)'s school records, and both parents are encouraged to consult with school staff concerning the child(ren)'s welfare and education. Both parents are encouraged to participate in and attend the child(ren)'s school events.

Both parents have equal rights to inspect and receive governmental agency and law enforcement records concerning the child(ren).

Both parents have equal rights to consult with any person who may provide care or treatment for the child(ren) and to inspect and receive the child(ren)'s medical, dental or psychological records, subject to other statutory restrictions.

Each parent has a continuing responsibility to provide a residential, mailing, or contact address and contact telephone number to the other parent.

Each parent has a continuing responsibility to notify the other parent of any emergency circumstances or substantial changes or decisions affecting the child(ren), including the child(ren)'s medical needs, as close in time to the emergency circumstance as possible.

1. Parent-Child Telephone Contact: (Choose one)

The children shall be given privacy during their conversations with either parent. While the child(ren) reside with one parent, the other parent shall be permitted to speak by telephone with the child(ren):

☒ (a) At reasonable times.

☐ (b) At the following times only: _____

☐ (c) Other: _____

2. Parent-Child Written Communication: (Choose one)

☐ (a) Both parents and child(ren) shall have the right to communicate in writing or by e-mailing during reasonable hours without interference or monitoring by the other parent.

☒ (b) Specific agreements/orders regarding written or e-mail access between child(ren) and parent(s):

N/A on a temporary basis due to the age of the child

F. Relocation of a Residence of a Child: (Choose one)

☒ 1. The relocation of a child's residence in which s/he lives at least 150 days per year is governed by RSA 461-A:12. Any time after the filing of a parenting or divorce petition, a parent shall not relocate the residence of a child without a court order unless: 1) relocation results in the residence being closer to the other parent, or 2) relocation is to any location within the child's current school district, or 3) relocation is necessary to protect the safety of the parent or child, or both, as later determined by the court. In general, either parent may move the child's residence if it results in the parents living closer and if it will not affect the child's school enrollment. Prior to relocating the child's residence farther from the other parent or in such a way that school enrollment will be impacted, the parent shall provide reasonable notice to the other parent. For purposes of this section, 60 days notice shall be presumed to be reasonable unless other factors are found to be present or the parents have a written agreement to the contrary. At the request of either parent, the court shall hold a hearing on the relocation issue. Either parent may request that the court issue ex parte orders as provided in RSA 461-A:9 to prevent or allow relocation of the child(ren).

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☐ 2. This parenting plan shall expressly govern the relocation issue as follows:
In addition to the provisions of RSA 461-A:12, this plan shall include the following relocation details:

G. Procedure for Review and Adjustment of Parenting Plan: (Choose one)

☒ 1. The parents shall meet as set out below to review this parenting plan and the well-being of the child(ren). Any agreed-on changes shall be written down and shall include the grounds for modification from those listed in RSA 461-A:11. (Found at: <http://www.gencourt.state.nh.us/rsa/html/XLIII/461-A/461-A-11.htm>) Any agreement shall be signed by both and filed with the court. (Each should keep a copy.) **Choose (a), (b), (c), or (d).**

☐ (a) Meetings shall be in _____ (month).

☐ (b) Meetings shall be yearly.

☐ (c) Meetings shall be every 2 years.

☒ (d) Meetings shall not be on a set schedule but shall be as often as necessary for the benefit of the child(ren).

☐ 2. Other: _____

H. Method(s) for Resolving Disputes: (Choose one)

☒ 1. In the future, if the parents have a disagreement about parenting issues, the parents shall try to work it out in the best interest of the child(ren). They are encouraged to seek the help of a neutral third party to assist them. If the parents are unable to work out the disagreement they may ask the court to decide the issue.

☐ 2. Other: _____

I. Other parenting agreements important to the parents or child(ren) are listed below or are set forth in the _____ number of attached pages.

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Date

Signature of Petitioner

Date

Signature of Attorney/Witness for Petitioner

11/10/2022

[Signature]

Date

Signature of Respondent

11/10/22

[Signature]

Date

Signature of Attorney/Witness for Respondent

Date

Signature of Guardian *ad Litem*

Recommended:

Date

Signature of Marital Master

Printed Name of Marital Master

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

Date

Signature of Judge

Printed Name of Judge